

Exhibit 2

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3 SEVERSON & WERSON
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ELECTRONICALLY FILED
Superior Court of California,
County of Orange

10/03/2014 at 03:23:00 PM

Clerk of the Superior Court
By e Clerk, Deputy Clerk

7 JOHN B. SULLIVAN (State Bar No. 96742)
8 SEVERSON & WERSON
9 A Professional Corporation
10 One Embarcadero Center, Suite 2600
San Francisco, California 94111
Telephone: (415) 398-3344
Facsimile: (415) 956-0439

11 Attorneys for Defendant
12 U.S. BANK NATIONAL ASSOCIATION, as Trustee, as successor in interest to Bank of
America, National Association, as Trustee, successor by merger to LaSalle Bank National
Association, as Trustee for RAAC 2007RP1

SUPERIOR COURT OF CALIFORNIA

COUNTY OF ORANGE — CENTRAL JUSTICE CENTER

Karen Michele Rozier, an Individual,

Plaintiff,

vs.

Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee RAMP 2007RP1 aka Bank of America, National Association as successor by merger to LaSalle Bank National Association as Trustee RAAC 2007RP1; U.S. Bank National Association as successor in interest to Bank of America National Association as Trustee, successor by merger to LaSalle Bank National Association as Trustee for RAAC 2007RP1; Residential Funding Company, LLC fka Residential Funding Company, Attorney-In-Fact; JOHN DOES 18-50.

Defendants.

Case No. 30-2012-00601310-CU-OR-CJC
Assigned for All Purposes to:
Hon. Sheila B. Fell
Dept. C22

**DEFENDANT'S SECOND
SUPPLEMENTAL OPPOSITION TO
PLAINTIFF'S MOTION TO VACATE
AND SET ASIDE THE JULY 2, 2014
ORDER GRANTING U.S. BANK'S EX
PARTE APPLICATION TO MODIFY
THE COURT'S FEBRUARY 5, 2013
ORDER OF PRELIMINARY
INJUNCTION; DECLARATION IN
SUPPORT THEREOF**

Date: October 8, 2014
Time: 10:00 a.m.
Dept.: C22

1 **TO THE HONORABLE COURT, PLAINTIFF, AND ALL OTHER INTERESTED**
2 **PARTIES:**

3 Defendant U.S. Bank National Association, as Trustee, as successor in interest to Bank of
4 America, National Association, as Trustee, successor by merger to LaSalle Bank National
5 Association, as Trustee for RAAC 2007RP1 (“U.S. Bank” or “Defendant”) hereby further
6 supplements its opposition to Plaintiff Karen Rozier’s (“Plaintiff”) motion to vacate and set aside
7 the Court’s July 2, 2014 order which modified the Court’s February 5, 2013 preliminary
8 injunction order (the “Motion”), as follows.

9 **I.**

10 **THE COURT OF APPEALS HAS OFFICIALLY DISMISSED PLAINTIFF’S APPEAL OF**
11 **THE COURT’S ORDER GRANTING U.S. BANK’S MOTION FOR SUMMARY**
12 **JUDGMENT**

13 On May 12, 2014, Plaintiff noticed an appeal of the “Judgment after an order granting a
14 summary judgment motion.” A true and correct copy of the Court’s Notification of Filing Notice
15 of Appeal is attached hereto and incorporated herein as Exhibit G. Her appeal was provided case
16 number G050127 before the California Court of Appeal, 4th District Court of Appeal, Division 3
17 (the “First Appeal”). This appeal refers to the Court’s order granting U.S. Bank’s Motion for
18 Summary Judgment.

19 Plaintiff’s First Appeal was dismissed on July 30, 2014. A true and correct copy of the
20 Court of Appeals’ docket for the First Appeal is attached hereto and incorporated herein as Exhibit
21 H. Furthermore, the Court of Appeals issued its Remittitur on the First Appeal on October 1,
22 2014. A true and correct copy of the Court of Appeals’ Remittitur is attached hereto and
23 incorporated herein as Exhibit I.

24 Based thereon, Plaintiffs efforts to try to appeal the Court’s order granting U.S. Bank’s
25 motion for summary judgment is now officially over. U.S. Bank is no longer a party to this
26 lawsuit, and Plaintiff can no longer support any reason why the Court’s February 5, 2013
27 preliminary injunction order should pertain to U.S. Bank.

II.

CONCLUSION

U.S. Bank respectfully requests the Court deny Plaintiff's Motion, with prejudice.

DATED: October 3, 2014

SEVERSON & WERSON
A Professional Corporation

By:

Yaron Shaham
Yaron Shaham

Yaron Shaham

Atorneys for Defendant
U.S. BANK NATIONAL ASSOCIATION, as Trustee,
as successor in interest to Bank of America, National
Association, as Trustee, successor by merger to LaSalle
Bank National Association, as Trustee for RAAC
2007RP1

1 **DECLARATION OF YARON SHAHAM**

2 I, Yaron Shaham, declare as follows:

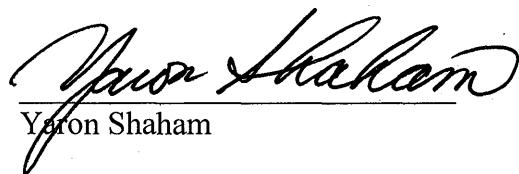
3 1. I am an attorney duly admitted to practice law in the State of California and before
4 this Court. I am one of the attorneys representing Defendant U.S. Bank National Association, as
5 Trustee, as successor in interest to Bank of America, National Association, as Trustee, successor
6 by merger to LaSalle Bank National Association, as Trustee for RAAC 2007RP1 ("U.S. Bank" or
7 "Defendant") in this action. I have personal knowledge of the matters set forth herein and, if
8 called to testify as a witness thereto, I could and would do so competently.

9 2. I submit this declaration in support of U.S. Bank's second supplemental opposition
10 to Plaintiff Karen Rozier's ("Plaintiff") motion to vacate and set aside the Court's July 2, 2014
11 order which modified the Court's February 5, 2013 preliminary injunction order (the "Motion").

12 3. On May 12, 2014, Plaintiff noticed an appeal of the "Judgment after an order
13 granting a summary judgment motion." A true and correct copy of the Court's Notification of
14 Filing Notice of Appeal is attached hereto and incorporated herein as Exhibit G. Her appeal was
15 provided case number G050127 before the California Court of Appeal, 4th District Court of
16 Appeal, Division 3 (the "First Appeal"). This appeal refers to the Court's order granting U.S.
17 Bank's Motion for Summary Judgment.

18 4. Plaintiff's First Appeal was dismissed on July 30, 2014. A true and correct copy of
19 the Court of Appeals' docket for the First Appeal is attached hereto and incorporated herein as
20 Exhibit H. Furthermore, the Court of Appeals issued its Remittitur on the First Appeal on October
21 1, 2014. A true and correct copy of the Court of Appeals' Remittitur is attached hereto and
22 incorporated herein as Exhibit I.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct. Executed this 3rd day of October, 2014, in Irvine, California.

25 
26 Yaron Shaham
27
28

Yaron Shaham

EXHIBIT “G”

3050127

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
700 Civic Center Drive West
Santa Ana, CA 92701

APPELLANT: Karen Michele Rozier

RESPONDENT: U.S. Bank National Association

SUPERIOR COURT CASE TITLE: Rozier vs. Bank of America

Judicial Officer: Hon. Sheila Fell

Judgment/Order Date: 04/30/2014

CASE NUMBER:
30-2012-00601310

NOTIFICATION OF FILING NOTICE OF APPEAL

You are notified that on 5/12/2014 a notice of appeal was filed in the above entitled action.

CLERK'S CERTIFICATE OF MAILING

Appellant(s)/Plaintiff

Karen Michele Rozier

Attorney for Appellant(s)/Plaintiff

COURT OF APPEAL-4TH DIST DIV 3

RECEIVED

Karen Michele Rozier (Pro Per)
7957 Dahlia Circle
Buena Park, CA 90620
(410) 458-3772

MAY 12 2014

BL

DEPUTY CLERK

Respondent(s)/Defendant

U.S. Bank National Association, as Trustee, as successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for RAAC 2007RP1

Attorney for Respondent(s)/Defendant

Robert J. GANDY (225405)
Yaron Shaham (217192)
SEVERSON & WERSON
19100 Von Karman Avenue, Suite 700
Irvine, CA 92612
Telephone: (949) 442-7110

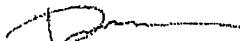
John B. Sullivan (96742)
SEVERSON & WERSON
One Embarcadero Center, Suite 2600
San Francisco, CA 94111
(415) 398-3344

A copy of this notice was sent via interoffice delivery to the Court of Appeal:

4th District Court of Appeal, Division 3
601 W. Santa Ana Blvd.
Santa Ana, California 92701

I certify that I am not a party to this action and that this notice was mailed in accordance with Section 1013a of the Code of Civil Procedure. A copy of this Notification of Filing Notice of Appeal was deposited in the United States mail, in a sealed envelope with postage fully prepaid addressed as shown above. The mailing and this certification occurred at (place) Santa Ana, California, on (date) May 12, 2014.

ALAN CARLSON, Clerk of the Court

By: 

G. Galon, Deputy Clerk

		APP-002
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Karen Michele Rozier 7957 Dahlia Circle Buena Park, CA 90620		FOR COURT USE ONLY
TELEPHONE NO: (410) 458-3772 FAX NO. (Optional):		ELECTRONICALLY FILED Superior Court of California, County of Orange
E-MAIL ADDRESS (Optional):		05/12/2014 at 08:00:00 AM
ATTORNEY FOR (Name):		Clerk of the Superior Court By Giovanni Galon, Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 CIVIC CENTER DRIVE WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA 92701 BRANCH NAME: CENTRAL JUSTICE CENTER		
PLAINTIFF/PETITIONER: Karen Michele Rozier DEFENDANT/RESPONDENT: U.S. BANK NATIONAL ASSOCIATION		CASE NUMBER: 30-2012-00601310-CU-OR-CJC
<input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> CROSS-APPEAL (UNLIMITED CIVIL CASE)		
Notice: Please read <i>Information on Appeal Procedures for Unlimited Civil Cases</i> (Judicial Council form APP-001) before completing this form. This form must be filed in the superior court, not in the Court of Appeal.		

1. NOTICE IS HEREBY GIVEN that (name): Karen Michele Rozier
appeals from the following judgment or order in this case, which was entered on (date): April 30, 2014

- Judgment after jury trial
- Judgment after court trial
- Default judgment
- Judgment after an order granting a summary judgment motion
- Judgment of dismissal under Code of Civil Procedure sections 581d, 583.250, 583.360, or 583.430
- Judgment of dismissal after an order sustaining a demurrer
- An order after judgment under Code of Civil Procedure section 904.1(a)(2)
- An order or judgment under Code of Civil Procedure section 904.1(a)(3)-(13)
- Other (describe and specify code section that authorizes this appeal):

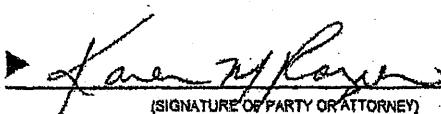
2. For cross-appeals only:

- Date notice of appeal was filed in original appeal:
- Date superior court clerk mailed notice of original appeal:
- Court of Appeal case number (if known):

Date: May 10, 2014

Karen Michele Rozier

(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY)

APP-002

CASE NAME: Rozier vs. U.S. BANK NATIONAL ASSOCIATION, as Trustee	CASE NUMBER: 30-2012-00601310-CU-OR-CJC
----------------------------------------------------------------------------	---------------------------------------------------

NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

PROOF OF SERVICE

Mail Personal Service

1. At the time of service I was at least 18 years of age and not a party to this legal action.

2. My residence or business address is (specify):

7957 Dahlia Circle Buena Park, CA 90620

3. I mailed or personally delivered a copy of the *Notice of Appeal/Cross-Appeal (Unlimited Civil Case)* as follows (complete either a or b):

a. Mail. I am a resident of or employed in the county where the mailing occurred.

(1) I enclosed a copy in an envelope and

(a) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

(b) placed the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

(2) The envelope was addressed and mailed as follows:

(a) Name of person served: **Yaron Shaham**

(b) Address on envelope:

Severson and Werson, APC 19100 Von Karman Avenue #700 Irvine, CA 92612

(c) Date of mailing: **May 10, 2014**

(d) Place of mailing (city and state): **Buena Park, CA**

b. Personal delivery. I personally delivered a copy as follows:

(1) Name of person served:

(2) Address where delivered:

(3) Date delivered:

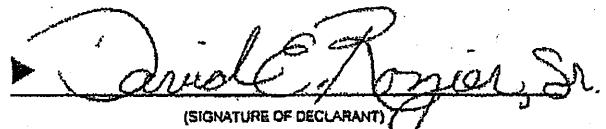
(4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **May 10, 2014**

David E. Rozier, Sr.

(TYPE OR PRINT NAME)


David E. Rozier, Sr.

(SIGNATURE OF DECLARANT)

APP-002

CASE NAME: Rozier vs. U.S. BANK NATIONAL ASSOCIATION, as Trustee	CASE NUMBER: 30-2012-00601310-CU-OR-CJC
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NOTICE TO PARTIES: A copy of this document must be mailed or personally delivered to the other party or parties to this appeal. A PARTY TO THE APPEAL MAY NOT PERFORM THE MAILING OR DELIVERY HIMSELF OR HERSELF. A person who is at least 18 years old and is not a party to this appeal must complete the information below and mail (by first-class mail, postage prepaid) or personally deliver the front and back of this document. When the front and back of this document have been completed and a copy mailed or personally delivered, the original may then be filed with the court.

PROOF OF SERVICE

Mail Personal Service

1. At the time of service I was at least 18 years of age and not a party to this legal action.

2. My residence or business address is (specify):

7957 Dahlia Circle Buena Park, CA 90620

3. I mailed or personally delivered a copy of the *Notice of Appeal/Cross-Appeal (Unlimited Civil Case)* as follows (complete either a or b):

a. Mail. I am a resident of or employed in the county where the mailing occurred.

(1) I enclosed a copy in an envelope and

(a) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

(b) placed the envelope for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

(2) The envelope was addressed and mailed as follows:

(a) Name of person served: Sean Muntz

(b) Address on envelope:

BRYAN CAVE, LLP 3161 Michelson Drive, Suite 1500 Irvine, CA 92612

(c) Date of mailing: May 10, 2014

(d) Place of mailing (city and state): Buena Park, CA

b. Personal delivery. I personally delivered a copy as follows:

(1) Name of person served:

(2) Address where delivered:

(3) Date delivered:

(4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 10, 2014

David E. Rozier, Sr.

(TYPE OR PRINT NAME)

► 

(SIGNATURE OF DECLARANT)

EXHIBIT “H”

Appellate Courts Case Information

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

4th Appellate District Division 3

Change court

Court data last updated: 10/03/2014 01:44 PM

Docket (Register of Actions)

Rozier v. U.S. Bank National Association
Case Number **G050127**

Date	Description	Notes
05/13/2014	Notice of appeal lodged/received.	Appellant Karen Michele Rozier
05/13/2014	Default notice sent-appellant notified per rule 8.100(c).	
05/29/2014	Default letter sent; no case information statement filed.	
05/13/2014	Appeal dismissed per rule 8.100(c).	
06/09/2014	Appeal dismissed per rule 8.100(c).	Appellant having failed to pay the statutory filing fee in compliance with rule 8.100(b)(1) of the California Rules of Court, after notice given pursuant to rule 8.100(c)(2), the appeal filed on May 12, 2014, is DISMISSED. Appellant is advised that this dismissal will become final as to this court 30 days after the date of this order, at which time this court will lose the power to vacate, reconsider or modify it. (See Cal. Rules of Court, rule 8.264(b)(1).)
06/20/2014	Motion filed.	
06/23/2014	Order of dismissal vacated.	Appellant's motion to vacate the dismissal, reinstate the appeal, and be relieved from default is GRANTED. Appellant having complied with the statutory filing fee in compliance with rule 8.100(b)(1) of the California Rules of Court, the order of dismissal is VACATED and the appeal is REINSTATED. Appellant is advised that the civil case information has not been filed pursuant to California Rules of Court, rule 8.100(g)(1). Appellant's civil case information statement shall be served and filed within 15 days from the date of this order or the appeal may be

		dismissed. Orange County Superior Court, Appellate Division is directed to proceed with the preparation of record on appeal.
06/25/2014	Filed declaration of:	aplt failed to comply w/ntc of default dtd 6/9/14 re the following: 1). Clearly specify on the designation of record on appeal a single form of the written record on appeal as required by CRC, rule 8.121(a)(1)(B). 2). Deposit funds and or substitute to cover each hearing date requested in the designation of record on appeal as required by CRC, rule 8.130(b) and 8.130(c). In lieu of a deposit you must take one of the actions described in CRC, rule 8.130(d) (3)(A). 3). Other: Please submit transcript reimbursement fund application to the CA Reporter's Board and provide us with a courtesy copy rule 8.130(c)(1).
07/02/2014	Appeal dismissed per rule 8.140(b).	Pursuant to California Rules of Court, rule 8.140(b)(1), the appeal filed May 12, 2014, is DISMISSED for appellant's failure to: 1). Clearly specify on the designation of record on appeal a single form of the written record on appeal as required by CRC, rule 8.121(a)(1)(B). 2). Deposit funds and or substitute to cover each hearing date requested in the designation of record on appeal as required by CRC, rule 8.130(b) and 8.130(c). In lieu of a deposit you must take one of the actions described in CRC, rule 8.130(d)(3)(A). 3). Other: Please submit transcript reimbursement fund application to the CA Reporter's Board and provide us with a courtesy copy rule 8.130(c)(1). Appellant is advised that this dismissal will become final as to this court 30 days after the date of this order, at which time this court will lose the power to vacate, reconsider or modify it. (See Cal. Rules of Court, rule 8.264(b)(1).)
07/16/2014	Motion filed.	by aplt to vacate dismissal and reinstate appeal.
07/16/2014	To court.	aplt's mtn to vacate dismissal and reinstate appeal.
07/17/2014	Order of dismissal vacated.	Appellant's motion to vacate the dismissal, reinstate the appeal and be relieved from default is GRANTED. The dismissal is VACATED and the appeal is REINSTATED. Appellant is relieved from default. The Superior Court of Orange County, Civil Appellate Division, is directed to accept appellant's

		corrected designation of the record on appeal, along with funds or a substitution for funds, provided they are submitted within 10 days of the date of this order. Appellant shall serve and file a Civil Case Information Statement with the Court of Appeal within 15 days of the date of this order.
07/28/2014	Civil case information statement filed.	
07/30/2014	Filed declaration of:	Appellant's notice of failure to comply w/notice of default for failure to deposit funds.
07/30/2014	Appeal dismissed per rule 8.140(b).	Pursuant to California Rules of Court, rule 8.140(b)(1), the appeal filed May 12, 2014, is DISMISSED for appellant's failure to deposit funds or a substitution for funds in a timely manner for preparation of the record on appeal. Appellant is advised that this dismissal will become final as to this court 30 days after the date of this order, at which time this court will lose the power to vacate, reconsider or modify it. (See Cal. Rules of Court, rule 8.264(b)(1).)
09/17/2014	Received copy of:	Letter re change of respondent's counsel within same law firm/Kerry Franich replaces Robert Gandy
10/01/2014	Remittitur issued.	
10/01/2014	Case complete.	

[Click here](#) to request automatic e-mail notifications about this case.

EXHIBIT "I"

COURT OF APPEAL - STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION THREE

Kerry William Franich
Severson & Werson
19100 Von Karman Ave Ste 700
Irvine, CA 92612

KAREN MICHELE ROZIER,
Plaintiff and Appellant,

v.

U.S. BANK NATIONAL ASSOCIATION,
Defendant and Respondent.

G050127
Orange County No. 30-2012-00601310

*** * REMITTITUR * ***

I, Kevin J. Lane, Clerk/Administrator of the Court of Appeal of the State of California, for the Fourth Appellate District, Division III, do hereby certify that the decision entered in the above-entitled cause on July 30, 2014, has now become final.

Appellant XX Respondent to recover costs
 Each party to bear own costs
 Costs are not awarded in this proceeding
 See decision for costs determination

Witness my hand and the Seal of the Court affixed at my office this October 1, 2014.

Kevin J. Lane
Clerk/Administrator

By: Denise Massey, Deputy Clerk

1 **PROOF OF SERVICE**
2 **Rozier v. Bank of America, et al.**
3 **OCSC Case No. 30-2012-00601310-CU-OR-CJC**

4 At the time of service, I was over 18 years of age and not a party to this action. I am
5 employed in the County of Orange, State of California. My business address is The Atrium,
6 19100 Von Karman Avenue, Suite 700, Irvine, CA 92612.

7 On October 3, 2014, I served true copies of the following document(s):
8

**DEFENDANT'S SECOND SUPPLEMENTAL OPPOSITION TO PLAINTIFF'S
MOTION TO VACATE AND SET ASIDE THE JULY 2, 2014 ORDER GRANTING
U.S. BANK'S EX PARTE APPLICATION TO MODIFY THE COURT'S
FEBRUARY 5, 2013 ORDER OF PRELIMINARY INJUNCTION; DECLARATION
IN SUPPORT THEREOF**

9 on the interested parties in this action as follows:

10 **SEE ATTACHED SERVICE LIST**

11 **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the
12 persons at the addresses listed in the Service List and placed the envelope for collection and
13 mailing, following our ordinary business practices. I am readily familiar with Severson &
14 Werson's practice for collecting and processing correspondence for mailing. On the same day that
15 the correspondence is placed for collection and mailing, it is deposited in the ordinary course of
16 business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19 Executed on October 3, 2014, at Irvine, California.

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Stephanie A. Crisp

1
2 **SERVICE LIST**
3 **Rozier v. Bank of America, et al.**
4 **OCSC Case No. 30-2012-00601310-CU-OR-CJC**

5 Karen Michele Rozier Plaintiff, In Pro Per
6 7957 Dahlia Circle Telephone: (714) 512-5740
7 Buena Park, CA 90620
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28 Sean Muntz Telephone: (949) 223 7000
BRYAN CAVE Facsimile: (949) 223 7100
3161 Michelson Drive, Suite 1500
Irvine, CA 92612-4414